

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

AMERGENT TECHS, LLC,

Petitioner,

v.

TRANSATLANTIC LINES, LLC,

Respondent.

Case No.: 16-CV-1140 JLS (JLB)

**ORDER (1) LIFTING STAY; AND (2)
REQUIRING PETITIONER TO FILE
MOTION**

Presently before the Court is the parties' Joint Status Report on Petitioner's Motion to Dismiss in *Transatlantic Lines LLC v. Amergent Techs, LLC*, No. 1:16-cv-03549-AT (S.D.N.Y.). (ECF No. 10.) The Court previously stayed the present case pending a ruling in the New York case and ordered the parties to submit a joint status report after receiving the New York court's ruling. (ECF No. 9.) According to the Joint Status Report, the New York court dismissed the case with prejudice for lack of personal jurisdiction. (*See* ECF No. 10; *see also* Ex. A.)

Accordingly, the Court **HEREBY LIFTS** the stay on Petitioner's obligation to file a motion to compel arbitration or notice a hearing. (ECF No. 9.) In light of the New York court's ruling and pursuant to Civil Local Rule 7.1(e), the Court **DENIES AS MOOT**

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1 Petitioner's original Petition to Compel Arbitration (ECF No. 1).¹ Petitioner **SHALL FILE**
2 a renewed motion to compel arbitration, or otherwise respond to this Order, within thirty
3 (30) days from the date on which this Order is electronically docketed.

4 **IT IS SO ORDERED.**

5 Dated: February 3, 2017

Janis L. Sammartino
6 Hon. Janis L. Sammartino
7 United States District Judge

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28 ¹ The Court's Order is also based on Petitioner Amergent's previous claim that "[i]f the New York Court
grants Amergent's motion to dismiss, Amergent will then file its motion to compel arbitration." (ECF No.
8, at 3.)